

Summary of Draft 2012 Shoreline Master Program Update

December, 2012

The following is a summary of some key components of the Town's draft Shoreline Master Program (SMP) currently under Council review. There are many other provisions of this SMP, all of which are important. This version of the SMP reflects considerable input from the Town's Planning Commission and a Shoreline Committee comprised of Commission and Council members. The Washington Department of Ecology, which must approve this SMP, has provided informal, but thorough, comments on the prior draft. Town staff made revisions to the SMP based on Town and Ecology comments and discussion consistent with the Washington Administrative Code and the Town vision. Additional revisions have been made in response to Muckleshoot Indian Tribe and Washington State Department of Transportation comments. After a Council public hearing and final round of revision, the Council will submit the SMP to Ecology for formal review and comment, and ultimately Ecology approval.

Chapter 6: Specific Shoreline Use and Modification Regulations (piers and bulkheads)

6.7 Private Moorage

- Replacement facilities:
 - A pier project is considered to be a replacement when the entire existing structure is removed or when more than 75 percent of the pier-support piles are replaced. Pile replacement does not include piles that are repaired through sleeving or splicing.
 - Can maintain same footprint, square footage and configuration as the existing structure
- New docks:
 - 480 ft² for single-use, 700 ft² for 2-party joint-use, and 1,000 ft² for 3- to 4-party joint use; provision allowing extra square footage if needed to reach moorage depth.
 - On the Point: 4' feet for first 30 feet of walkway unless State disabled then 6'; 6'-wide walkway beyond 30 feet. Maximum 100 feet long.
 - In Fairweather Basin, Haug Channel, and Cozy Cove Inlet: 4' wide for elements perpendicular to shore unless State disabled then 6'; 6' wide for elements parallel to shore. Over-water structures may extend no farther waterward than one-fifth (1/5) the width of the channel in the location of the proposed structure or as regulated by plat restrictions
- Process provided to allow new and replacement facilities that deviate from dimensional standards without a Variance if approved by state or federal agencies.
- Grated decking or other light-transmitting material required for new and replacement docks, as well as certain decking repairs.
- Mitigation: required for new docks and replacement docks that have adverse impacts; mandatory mitigation for all projects is removal of any "extra" overwater structures that may be in the nearshore 30 feet except for over-water boardwalks
- Joint-use docks required for subdivisions or new residential development of two adjacent lots

6.8 Residential Development

- Setbacks for all zones maintained per existing requirements or per approved plats, subdivisions or other Town approvals (e.g., stringline in R-40, 40' or building line in R-20, and 30' in R-20A).
- R-40: Total impervious areas between 0 and 50 feet upland of OHWM shall be limited to 20% percent, with no new impervious surfaces installed in the first 15 feet landward of the OHWM. Pathways providing access to the shoreline are permitted and shall utilize pervious materials.
- R-20/20A: Total impervious areas between 0 and 10 feet upland of OHWM shall be limited to 25% percent, with no new impervious surfaces installed in the first 15 feet landward of the OHWM. Pathways providing access to the shoreline are permitted and shall utilize pervious materials.

6.11 Shoreline Stabilization

- New or enlarged: requires geotechnical analysis prepared by geotechnical engineer to demonstrate need for stabilization (based on danger of damage to primary structure within 3 years) and determine the softest shoreline method feasible at the site
- Replacement: requirements triggered if repair work is greater than 75% of top course of bulkhead or greater than 50% of bottom course/footing of bulkhead. Demonstration of need for replacement required, but can be prepared by professional other than geotechnical engineer.
- New and enlarged stabilization requires mitigation of adverse impacts, including placement of gravel waterward of bulkhead (where appropriate) and installation of native vegetation.

Chapter 5: General Regulations

5.3 Environmental Impacts

- Requires use of mitigation sequencing steps to first avoid and then minimize adverse environmental impacts, with required mitigation when necessary.
- A number of other basic provisions to minimize adverse effects of uses and developments on the natural environment, as well as on navigation, safety, health, and adjacent land and water uses.

5.4 Environmentally Sensitive Areas

- References a package of updated regulations in Appendix D of this SMP which apply only to critical areas (streams, wetlands, other fish and wildlife habitat conservation areas) in shoreline jurisdiction. Most of these regulations are derived from the State's scientific and policy documents, which Ecology requires be used in shoreline jurisdiction.
- Regulations contain provisions allowing for low-impact, passive recreational developments such as trails.

5.5 Public Access

- required for any single development of more than four single-family parcels or for any development proposed by a public entity or on public lands.

5.6 Vegetation Management

- Incorporates existing Town tree code that protects significant trees

- Requires mitigation (2:1 by number of trees) for adverse impacts to vegetation – adverse impacts result from removal of trees, shrubs and groundcovers or from construction or operation of new developments that could impair the vegetation's health.
- Lawn and non-native landscaping areas disturbed by projects can be replaced with lawn and landscaping.
- Aquatic vegetation control – only allowed when native plant communities and associated habitats are threatened or where an existing water-dependent use (such as boating, swimming) is restricted by the presence of weeds. Must comply with State regulations.